

**Remarks**

The present application is reviewed in light of the Office Action dated January 11, 2005. By the foregoing amendments, claims 1, 5 and 10 are amended, and claims 2-3 and 6-7 are cancelled without prejudice. Claims 1, 4-5, and 8-10 are pending in this application. No new matter is introduced by the amendments.

The Office Action requires submission of new corrected drawings. In reply to this requirement, a new formal drawing of FIG. 1 in compliance with 37 CFR 1.121(d) is submitted herewith.

The specification and abstract are objected to because of certain informalities. By the foregoing amendments, such informalities are corrected.

Claims 1-5 are objected to because of certain informalities. By the foregoing amendments, such informalities are corrected.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite because the limitation "the data controller" in line 3 of the claim lacks sufficient antecedent basis. Applicants respectfully submit that the term "the data controller" was included in claim 10 by clerical error, and this term has been corrected to -- the data collector-- by the foregoing amendments.

The Examiner has rejected claims 1-4 and 5-8 under 35 U.S.C. 102(b) as being anticipated by Dukor (US Patent No. 5,945,674). The Examiner has further rejected claims 9-10 under 35 U.S.C. 103(a) as being unpatentable over Dukor (US Patent No. 5,945,674) in view of Carter (US Patent No. 6,006,140).

In consideration of these prior art rejections, independent claims 1 and 5 have been amended, and claims 2-3 and 6-7 are cancelled. In particular, the claims of the

application have been amended to specify that incremental movement of the moveable stage of the microscope is initiated in response to a signal generated at the completion of a spectrometer scan. Applicants have carefully reviewed all of the prior art references including Duker and Carter cited by the Examiner, but cannot find in those documents any suggestion of this feature. By using this feature the synchronization is effectively driven by the spectrometer and this is in contrast to the more conventional technique which is to do it sequentially from the PC. The advantages of the present arrangement are described in the specification of this application. For example, please refer to paragraphs [0006] to [00012].

It appears from the Examiner's comments that he considers that Duker, Figure 2 and column 5, lines 42 to 60 is relevant in this respect. However close inspection of Figure 2 shows that there is no link between the spectrometer (25) and the movement control for the microscope and therefore no such synchronization technique is possible. Accordingly, Applicants respectfully submit that claims 1, 4-5, and 8-10 as amended are patentably distinct over the prior art references of record.

In view of the foregoing amendments and remarks, Applicants submit that all of the claims currently pending in the application are now in condition for allowance. Favorable reconsideration and early notice to that effect is respectfully requested.

Respectfully submitted,



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